

12/30/93

UNITED STATES OF AMERICA
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

IN THE MATTER OF)	
)	
Employers Insurance of Wausau,)	Docket No. TSCA-V-C-62-90
)	
and)	
)	
Group Eight Technology, Inc.,)	Docket No. TSCA-V-C-66-90
)	
Respondents)	

ORDER REJECTING INITIAL POST-TRIAL BRIEF OF
EMPLOYERS INSURANCE OF WAUSAU AND EXTENDING
DATE FOR THE FILING OF REPLY BRIEFS

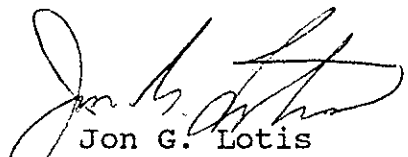
By order dated October 18, 1993, I directed that "[b]riefs shall be limited to 25 double-spaced pages, using the same style and size print and margins as used in the parties' earlier submissions." This was an increase of 5 pages from the 20-page limitation that I had imposed on the last day of the hearing. In setting the page limitation, I concluded that it would be more than sufficient to fully brief the case. No party objected to my order or the page limitation it imposed.

With the exception of the Employers Insurance of Wausau, all parties conformed to my directive.^{1/} The initial post-trial brief of the Employers Insurance of Wausau departed significantly from the format that had been used in its previous pleadings. By changing fonts, margins etc., the Employers Insurance of Wausau submitted the equivalent of a 35 to 40-page brief. While the format changes may be viewed as ingenious by its authors, they violate the intent and purpose of my ruling.

Accordingly, the Employers Insurance of Wausau's initial post-trial brief is rejected. This rejection is without prejudice to Employers Insurance of Wausau submitting on or before January 21, 1994, a brief not to exceed 25 pages which follows the format used in its prior pleadings. (See e.g., answer to complaint or response in opposition to motion to strike and motion in limine).

^{1/} While the October 18, 1993, order permitted 25-page briefs, Complainant and Group Eight Technology, Inc. are commended in keeping their briefs within the previously imposed 20-page limitation.

In light of the action taken herein, the date for the filing of reply briefs shall be extended to February 25, 1994.



Jon G. Lotis
Administrative Law Judge

Dated: December 30, 1993
Washington, D.C.

IN THE MATTER OF EMPLOYERS INSURANCE OF WAUSAU, Respondent,
Docket No. TSCA-V-C-62-90, and
IN THE MATTER OF GROUP EIGHT TECHNOLOGY, INC., Respondent,
Docket No. TSCA-V-C-66-90

CERTIFICATE OF SERVICE

I certify that the foregoing Order Rejecting Initial Post-Trial Brief of Employers Insurance of Wausau and Extending Date For the Filing of Reply Briefs, dated December 30, 1993, was sent in the following manner to the addressees listed below:

Original by Regular Mail to:

A. Marie Hook
Regional Hearing Clerk
U.S. Environmental Protection
Agency, Region V
77 West Jackson Boulevard
Chicago, IL 60604

Copy by Regular Mail to:

Counsel for Complainant(s): Richard Wagner, Esq.
Associate Regional Counsel
U.S. Environmental Protection
Agency, Region V
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**Copy by Certified Mail, Return
Receipt Requested to:**

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Stacia Hyde-Eason
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401 M Street, S.W.
Washington, D.C. 20460

Dated: December 30, 1993